



**Delaware Thoroughbred Racing Commission
Minutes of Regular Meeting Held
September 25, 2007**

The Delaware Thoroughbred Racing Commission held a regular meeting on September 25, 2007 at 10:00 AM in the second floor conference room of the Horsemen's Office at Delaware Park, 777 Delaware Park Boulevard, Wilmington, Delaware 19804.

The following commission members were present:

Bernard J. Daney, Chairman
W. Duncan Patterson, Jr., Secretary/Commissioner
Henry J. Decker, Commissioner
Edward Stegemeier, Commissioner

The following commission members were excused:

Debbie Killeen, Commissioner

The following individuals also were present:

John F. Wayne, DTRC, Executive Director
Andrew Kerber, Esq., Deputy Attorney General, Commission Counsel
Barbara Gadbois, Esq. Deputy Attorney General, Stewards' Counsel
John T. Peters, D.V.M., DTRC, Supervising Commission Veterinarian
Francis Swift, Jr., DTRC, Inspector
Jack Houghton, Jr., DTRC, Chief State Steward
Joe Rudisill, Delaware Park, Sr. VP of Compliance
Greg Petkiewicz, Delaware Park, Sr. VP Race Track Operations
Ismael Trejo, Delaware Park, Racing Secretary
Joseph A. Strug, Dalare Associates, Laboratory Director
Bessie Gruwell, DTHA, Executive Director
Scott Peck, DTHA, President
Ramon L. Rodriguez, TRPB Agent
Bill Waldron, Owner/Trainer
George Margetson, Owner
Jack Ireland, News Journal (10:45 AM)

1. **WELCOME AND CALL TO ORDER**

Chairman Daney called the meeting to order at 10:00 AM and welcomed those in attendance.

2. **APPROVAL OF MINUTES**

Upon a motion duly made (Patterson) and seconded (Decker) minutes of August 21, 2007 were approved as submitted.

3. **OLD BUSINESS**

A. **Safety Reins**

Discussion points included:

- Would it be acceptable to have the commission buy and ask horsemen to use?
- As a commission, how do we feel about making a recommendation versus mandating?
- Step-by-step recommendation

Wrap-Up:

Executive Director, John F. Wayne, will ask Mr. Arthur Gray to address the commission at the next meeting, on October 23, 2007.

B. **DTRC Rules & Regulations – Rule 13 Claiming Races**

Chief Steward, G. Jack Houghton, Jr., read into the record these proposed rules:

13.8 Procedure for Claim

13.8.2 Officials and employees of the association shall not provide any information as to filing of claims until after the race has been run except as is necessary for processing of the claim.

13.13 Prohibited Practices

13.13.2 A person shall not claim a horse in which the person has a financial or beneficial interest in as an owner or trainer.

13.13.3 A person shall not cause another person to claim a horse for the purpose of obtaining or retaining an undisclosed financial or beneficial interest in the horse.

13.13.4 A person shall not claim a horse or enter into any agreement to have a horse claimed on behalf of an ineligible person.

Upon a motion duly made (Decker) and seconded (Patterson) the commission approved publication to the October 2007 Register of Regulations, granting permission to move forward in the rule-change process. A public hearing will be held during the commission meeting on October 23, 2007.

C. **Toe Grabs**

Chairman Daney recognized Ms. Bessie Gruwell, Executive Director of the Delaware Thoroughbred Horsemen's Association (DTHA). Ms. Gruwell addressed the commission stating she was asked by the DTHA board to continue discussions with the DTRC subject to toe grabs.

Discussion points included:

- California gauge from Dr. Jessica Christiansen.
- What are other jurisdictions doing?

Wrap-Up:

The commission agreed to discuss toe grabs at the next commission meeting on October 23, 2007.

4. **NEW BUSINESS**

A. **Request Commission's Approval – Clerk of Scales Appointment**

Upon a motion duly made (Patterson) and seconded (Stegemeier) approval is granted for Mr. Sean Worsley's promotion to Clerk of Scales.

5. **REPORT FROM EXECUTIVE DIRECTOR**

A. **Summary of Activities Report** (August 2007)

Discussion points included:

Lab Inspection:

On August 2, 2007, Executive Director, John F. Wayne, along with Delaware Harness Racing Commission Administrator, Hugh J. Gallagher, conducted an inspection of the official laboratory, Dalare Associates, Inc., in Philadelphia, Pennsylvania. Lab Director, Joseph Strug, reviewed the handling of samples from the thoroughbred and harness tracks, simulating the procedures used to screen equine samples.

B. **Synthetic Surface - Illinois Breakdown/Injury/Illness Report**

Discussion points included:

- Arlington is poly-track.
- During a meeting in Saratoga people in Illinois seemed to think they made a million dollar mistake.
- Seems the breakdowns are down 1/3rd.
- A lot of injuries that aren't on the report – soft tissue injuries, van-offs, recoup at farms, etc. Rumored the same at Keeneland.
- Delmar track complaint was that it was slow.
- Stride analysis 3X's as long – horses' hoofs stay on the track surface 3X's as long.
- Arlington – need more years – Arlington had a lot of injuries last year anyway.
- Dr. Peters reports on conversations held with Arlington veterinarians:
 - 18 breakdowns in 2006 – 14 breakdowns in 2007
 - better quality animal because of synthetic track – Owners/Trainers raced high-quality horses there.
 - More carpal fracture; more foot soreness; horses dig in more out of the gate; finding a lot of rear-end problems and need more injections; more high suspensory injuries and soft tissue injuries.
 - Made to stay off the track more in an attempt to keep the track from getting messy.
 - When jockeys fall they don't bounce.
 - Woodbine balls up badly.
 - Questions remain.

6. **REPORT FROM SUPERVISING COMMISSION VETERINARIAN**

A. **Breakdown/Injury/Illness Status Report**

Dr. Peters distributed the report prepared by Dr. Picciano. Numbers are good; racing accidents are down because track is in good condition.

Discussion points included:

- Dr. Peters urges horsemen to update their horse's vaccinations for disease, especially West Nile Virus.
- Delaware Park has cleared around the basins. Mosquito population is the lowest Dr. Peters has ever seen here.
- Clenbuteral: DTHA President, Mr. Scott Peck, raised the issue of clenbuteral in light of Pennsylvania's recent notice.
 - Racing Secretary, Ismael Trejo, stated the racing office refuses any entries if horse is on clenbuteral.
 - Ms. Gruwell states clenbuteral is the most often used product and that horsemen are compliant.
 - Maryland is 4 days; Pennsylvania is 24 hours.
 - Mr. Strug finds Pennsylvania irresponsible in issuing statement without consulting Mid Atlantic states. Mr. Strug will make inquiries during the Fair Hill meeting on October 4, 2007, and will report back to the commission.

7. **REPORT FROM DELAWARE THOROUGHBRED HORSEMEN'S ASSOCIATION**

A. **Delaware Certified Thoroughbred Program Status Report**

Ms. Gruwell reports 60 farms now enrolled. (request written report)

8. **PUBLIC COMMENT**

- Chairman Daney recognized Delaware Park's senior vice president of compliance, Mr. Joe Rudisill. Mr. Rudisill reports everything is okay.
- Chairman Daney recognized Delaware Park's senior vice president of race track operations, Mr. Greg Petkiewicz. Mr. Petkiewicz reports everything is okay.

9. **EXECUTIVE SESSION**

At 11:25 AM, upon a motion duly made (Decker) and seconded, the commission was moved into executive session to discuss personnel issues.

At 11:51 AM, upon a motion duly made (Decker) and seconded, the commission was returned to public session

10. **ADJOURN**

At 11:51 AM, the commission meeting was adjourned by Chairman Daney.

**Delaware Thoroughbred Racing Commission
Executive Session Minutes
September 25, 2007**

The following commission members were present:

Bernard J. Daney, Chairman
W. Duncan Patterson, Jr., Secretary/Commissioner
Henry J. Decker, Commissioner
Edward Stegemeier, Commissioner

The following commission members were excused:

Debbie Killeen, Commissioner

The following individuals also were present:

John F. Wayne, DTRC, Executive Director
Andrew Kerber, Esq., Deputy Attorney General, Commission Counsel

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A. Special Testing

Mr. Wayne reported that every horse in the Kent Breeders Cup, and TOBA mandated stakes testing, and some horses from other races, were tested and those samples were sent to HFL (laboratory in England).

On Wednesday, September 5, 2007, samples were taken from all horses in the Arabian races – all samples came back clear – one came back for steroids – none had anabolic steroids.

B. Pre-Meet Conference With Stewards

Pre-meet conference between with the Stewards to discuss goals and expectations and view films. Stewards' evaluation is October 30, 2007.

C. 2008 Commission Meeting Schedule

Commission requests the 2008 meeting schedule be planned.

D. Dr. Teichner's Salary

Mr. Wayne discussed recent conversation with Dr. Teichner – she misunderstood salary calculation and was under the impression her annual salary was \$142,000.00; Dr. Teichner's actual salary is \$71,000. Mr. Wayne will keep the commission informed of future discussions with Dr. Teichner.

E. Dr. Picciano Attending AAEP Conference

Mr. Wayne advised the commission that Dr. Picciano is attending the upcoming conference of American Association of Equine Practitioners (AAEP).

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